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Group Art Unit: 3691

Facsimile No.: 571-270-2374

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Date: May 21, 2010

RE: U.S. Application Serial Number: 10/816,120

Filed: April 1, 2004

Attorney Docket Number: 339699US28

TOTAL NUMBER OF PAGES INCLUDING THIS PAGE: 5

COMMENTS

In the event that any fees are due, including any fees required under 37 CFR 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge the required fees to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 CFR 1.136 for the necessary extension of time.

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INTERVIEW AGENDA:

CLAIMS:

Claim 1 (Previously Presented): A method of characterizing relative risks associated with a plurality of financial products performed on a computer having a hardware processor, comprising the steps of:

identifying one or more risk classes associated with the plurality of financial products by using an input device of the computer;

determining, for each of the risk classes, an expected occurrence rate by the processor;

dividing the expected occurrence rates determined by said step of determining by an average rate by the processor to determine a relative risk ratio for each of the risk classes;

calculating correlated risk ratios between at least two of the risk classes that are identified in said step of identifying to determine a dependence between the at least two different risk classes; and

comparing the relative risk ratios and the correlated risk ratios by the processor with empirical data to generate comparative risk data to characterize the relative risks associated with the plurality of products;

correcting the relative risk ratios in a case the comparative risk data is out of a defined range comparing with the empirical data; and

storing the corrected risk ratios to a storage unit of the computer.

Claim 21 (Currently Amended): A system having ~~at least one~~ hardware processor for characterizing relative risks associated with a plurality of financial products, comprising:

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an identifying unit operating on the hardware processor for identifying one or more risk classes associated with the plurality of financial products;

a determining unit operating on the hardware processor for determining, for each of the risk classes, an expected occurrence rate;

a dividing unit operating on the hardware processor for dividing the expected occurrence rates by an average rate to determine a relative risk ratio for each of the risk classes;

a calculating unit operating on the hardware processor for calculating correlated risk ratios between at least two of the risk classes that are identified in said step of identifying to determine a dependence between the at least two different risk classes;

a comparing unit operating on the hardware processor for comparing the relative risk ratios and the correlated risk ratios with empirical data to generate comparative risk data to characterize the relative risks associated with the plurality of products;

a correcting unit operating on the hardware processor for correcting the relative risk ratios in a case the comparative risk data is out of a defined range comparing with the empirical data; and

a storage unit of the computer for storing the corrected risk ratios.

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REMARKS:

The February 22, 2010 Office Action states that the steps of comparing and correcting are not taught by the references Flagg and Moller. (See Office Action, p. 7, ll. 9-13.) However, the pending Office Action asserts that the reference Silver teaches a similar feature in his Figure 11, at column 1, lines 17-22, and column 7, lines 59-67, and by contending that the combination of Silver with the reference Flagg is proper. Applicants traverse these statements as next discussed.

The rejection reference Silver is directed to a method for determining a wellness plan for a user 100, by determining a user's physiological age in a step 310, and a wellness program is put together based on wellness options that a user has chosen based on health science. (Silver, Abstract, Figs. 1, 3.) Silver explains that his system allows to "interactively assist, motivate, and counsel the user in choosing health behavior interventions to move a user from a current relative risk level to a preferred lower level of risk." (Silver, col. 1, ll. 17-20.) Moreover, Silver sets forth an example where the composite relative risk 804 associated with a user's behavior through the use of a covariance model. (See Silver, Fig. 7, steps 804, 806, col. 3, ll. 57-59, col. 11, ll. 50-65.) In particular, Silver calculates a composite relative risk 1308 by a covariance adjustment, so that individual effects that influence the overall relative risk can be isolated. (Silver, col. 13, ll. 29-37.) This is possible because the covariance is a statistical measurement of how individual effects mutually affect each other. (Silver, col. 13, ll. 38-39.) Silver then gives more details to his algorithm to calculate the composite relative risk ratios. (Silver, col. 14, ll. 5-19.) In particular, Silver explains that the overall population is stratified by a chosen factor, and the composite relative risk value is calculated based upon a retrieved associated covariance of the single stratified population. (Silver, col. 12, ll. 36-42, col. 13, ll. 29-37.) Stratified sampling is a method of sampling from a population, when a sub-populations have considerably variable

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characteristics, it is advantageous to sample each sub-population, ~~also called a stratum,~~ independently. Regarding the stratification, Silver explains the following:

The present invention stratifies users into graded levels of health using a substantial range of wellness factors. The system then evaluates this stratification data and compares it to curves of similar factors for specific age groups. The curves which are closest to the calculated factors for the individual are a meaningful measurement of the equivalent physiological age of the individual.

(Silver, col. 5, ll. 38-45.) However, Silver fails to teach a comparing unit that compares the relative risk ratios and the correlated risk ratios *with empirical data* to generate comparative risk data to characterize the relative risks associated with the plurality of products, and a correcting unit that corrects the relative risk ratios in a case the comparative risk data is out of a defined range comparing with the empirical data, as required by Applicants' independent Claim 1. Silver is silent on such comparison with empirical data, and because Silver uses a stratification of the population to take into account sub-populations, so that no such correction by a comparison is needed.